Policy No. 01-

Responding to Allegations of Research Misconduct

Commonwealth University of Pennsylvania

Approved by University Senate, [Date of Approval]

Responsible Office: Research and Sponsored Programs

1. Purpose

Commonwealth University of Pennsylvania prohibits research misconduct as defined in this policy, which meets the federal requirements outlined in the PHS Policies on Research Misconduct (42 CFR Part 93, "the PHS regulation") to address allegations of research misconduct. The policy ensures that good-faith efforts to report suspected research misconduct will be supported, and allegations of research misconduct will be promptly and thoroughly investigated and addressed.

2. Scope

All members of the Commonwealth University of Pennsylvania community, including students, faculty, staff, officials, volunteers, visitors, and contractors.

3. Definitions, Roles and Responsibilities

3.1. Definitions

3.1.1. **Research**: Any systematic investigation, study, evaluation, demonstration, or experiment designed to develop or contribute to generalizable knowledge in any field.

3.1.2. **Research record**: The record of data or results that embody the facts resulting from scientific inquiry in physical or electronic form. Examples that may be considered part of the research record include, but are not limited to, research proposals, data, manuscripts, abstracts, theses, and presentations.

3.1.3. **Research misconduct**: The fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

- **Fabrication** is the act of making up data or results and then recording or reporting them.
- **Falsification** is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

- **Plagiarism** is the appropriation of another person's ideas, processes, results, or words, without giving appropriate credit. (a) Plagiarism includes the unattributed verbatim or nearly verbatim copying of sentences and paragraphs from another's work that materially misleads the reader regarding the contributions of the author. It does not include the limited use of identical or nearly identical phrases that describe a commonly used methodology. (b) Plagiarism does not include self-plagiarism or authorship or credit disputes, including disputes among former collaborators who participated jointly in the development or conduct of a research project. Self-plagiarism and authorship disputes do not meet the definition of research misconduct.

3.1.4. **Intentionally**: To act with the aim of carrying out the act.

3.1.5. **Knowingly**: To act with awareness of the act.

3.1.6. **Recklessly**: To propose, perform, or review research, or report research results, with indifference to a known risk of fabrication, falsification, or plagiarism.

3.1.7. **Allegation**: A disclosure of possible research misconduct through any means of communication and brought directly to the attention of the Research Integrity Officer.

3.1.8. **Assessment**: A consideration of whether an allegation of research misconduct falls within the definition of research misconduct. An assessment determines if an allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

3.1.9. **Inquiry**: Preliminary information-gathering and preliminary fact-finding to determine whether an allegation warrants an investigation.

3.1.10. **Investigation**: The formal development of a factual record and the examination of that record to determine either (a) a finding that research misconduct occurred or (b) a finding that no research misconduct took place.

3.1.11. **Evidence**: Anything offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact, including documents, whether in hard copy or electronic form, information, tangible items, and testimony.

3.1.12. **Preponderance of the evidence**: Proof by evidence that, compared to opposing evidence, it can be concluded that the fact at issue is more likely true than not.

3.1.13. **Good faith**: (a) As applied to a complainant or witness, good faith means having a reasonable belief in the truth of one's allegation or testimony, based on the information known to the individual at the time without knowledge of or reckless disregard for information that would negate the allegation or testimony. (b) For an institutional official or committee member, good faith means cooperating with the research misconduct proceeding by impartially carrying out the duties assigned to help the institution meet its responsibilities under 42 CFR Part 93. Good faith prohibits acts or omissions during the research misconduct proceedings that are dishonest or

influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

3.2. Roles and Responsibilities

3.2.1. **Complainant**: An individual who makes a good-faith allegation of research misconduct. Complainants are responsible for bringing allegations of research misconduct directly to the Research Integrity Officer through any means of communication.

3.2.2. **Respondent**: An individual against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding. Respondents have the burden of going forward with and proving, by a preponderance of the evidence, affirmative defenses raised.

3.2.3. **Research Integrity Officer (RIO)**: The RIO is the institutional official responsible for administering the institution's written policies and procedures for addressing allegations of research misconduct in compliance with 42 CFR Part 93. The same individual will not serve as both the RIO and the Institutional Deciding Official. Upon receiving an allegation of research misconduct, the RIO will promptly assess the allegation to determine whether the allegation (a) is within the definition of research misconduct under the PHS regulation, (b) is within the applicability criteria of the regulation at § 93.102, and (c) is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

3.2.4. **Institutional Deciding Official (IDO)**: The IDO is the institutional official responsible for making final determinations on allegations of research misconduct and for any subsequent institutional actions. The same individual cannot serve as both the IDO and the Research Integrity Officer. The IDO documents determinations in written decisions that become part of the institutional record, including whether research misconduct occurred, if so, the type and identity of the perpetrator, and a description of the relevant actions Commonwealth University has taken or will take.

3.2.5. **Committee member**: An expert who acts in good faith to cooperate with the research misconduct proceedings by impartially carrying out their assigned duties to help Commonwealth University meet its responsibilities under 42 CFR Part 93. Committee members will have relevant expertise and be free of real or perceived conflicts of interest with any of the involved parties. Committee members are responsible for conducting research misconduct proceedings that are consistent with the PHS regulation to (a) determine whether an investigation is warranted and document the decision in an inquiry report and (b) determine whether or not the respondent(s) engaged in research misconduct and document the decision in an investigation report.

3.2.6. **Witness**: An individual reasonably identified by Commonwealth University as having information relevant to a research misconduct investigation. Witnesses are responsible for cooperating in good faith and providing information for review during research misconduct proceedings.

4. Policy

4.1. Commonwealth University of Pennsylvania is responsible for ensuring that its policies and procedures for addressing allegations of research misconduct meet the requirements of the PHS Policies on Research Misconduct (42 CFR Part 93) and is committed to following its policies and procedures when responding to allegations of research misconduct.

4.2. Research misconduct is prohibited. All institutional members are expected to conduct research with honesty, rigor, and transparency and contribute to an organizational culture that establishes, maintains, and promotes research integrity and the responsible conduct of research.

4.3. CU strives to reduce the risk of research misconduct by upholding the highest standards of scientific rigor in research, fostering an environment that promotes research integrity and the responsible conduct of research, discouraging research misconduct, supporting all good-faith efforts to report suspected misconduct, and promptly and thoroughly addressing all allegations of research misconduct.

5. Compliance and Enforcement

5.1. Every University policy will undergo a regular review on a five-year cycle, with approximately 20% of the total policy inventory being reviewed each year.

5.2. The responsible Senate Committee will conduct all policy reviews to assure that the policy remains relevant and aligns with applicable federal and state laws and regulations, PASSHE Board of Governors policies, and other University policies, procedures, standards, or guidelines.

6. Additional Information

6.1. **Supporting Documents**: PHS Policies on Research Misconduct (42 CFR Part 93, "the PHS regulation")

6.2. **History**: Replaces Bloomsburg University PRP 6820--Research Misconduct (May 2008)

6.3. **Contacts for Additional Information and Reporting**: Office of Research and Sponsored Programs, Commonwealth University, Attn: Heather Feldhaus, Research Integrity Officer, hfeldhau@commonwealthu.edu, 570.389.4214